

ENROLLED ORIGINAL

A RESOLUTION

15-382

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To approve the negotiated compensation agreement submitted by the Board of Trustees of the University of the District of Columbia and the University of the District of Columbia Faculty Association/NEA representing employees in Compensation Unit 10.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Agreement between the University of the District of Columbia and the University of the District of Columbia Faculty Association/NFA Representing Employees in Compensation Unit 10 Approval Resolution of 2004".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-618.17(j)), the Council approves the compensation settlement agreement set forth in the committee report that was negotiated through collective bargaining between the Board of Trustees of the University of the District of Columbia ("Board") and the University of the District of Columbia Faculty Association/NEA representing employees in Compensation Unit 10, which was adopted by the Board on September 17, 2003 and transmitted to the Council on November 24, 2003, and the related salary schedules, which provide as follows:

The University of the District of Columbia

FACULTY SALARY SCHEDULE

Effective Date: October 1, 2003

Increase: 3.0%

CBU CODE - XGF, NAA; SERVICE CODE: L30, L31, L33, N30, N31, N32

RANK	STEP INCREASES														Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
01 Distinguished Professor														90,446	
02 Professor	54,946	57,239	59,532	61,825	64,118	66,411	68,704	70,997	73,290	75,583	77,876	80,169	82,462	84,755	2,293
03 Associate Professor	43,803	45,613	47,423	49,233	51,043	52,853	54,663	56,473	58,283	60,093	61,903	63,713	65,523	67,333	1,810
04 Assistant Professor	35,668	37,163	38,658	40,153	41,648	43,143	44,638	46,133	47,628	49,123	50,618	52,113			1,495
05 Instructor	32,157	33,495	34,833	36,171	37,509	38,847	40,185	41,523	42,861	44,199	45,537	46,875			1,338

Fiscal Year 2004

The University of the District of Columbia

FACULTY SALARY SCHEDULE

Effective Date: October 1, 2002

Increase: 6.4%

CBU CODE - XGF, NAA; SERVICE CODE: L30, L31, L33, N30, N31, N32

RANK	STEP INCREASES														Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
01 Distinguished Professor														87,812	
02 Professor	53,346	55,572	57,798	60,024	62,250	64,476	66,702	68,928	71,154	73,380	75,606	77,832	80,058	82,284	2,226
03 Associate Professor	42,527	44,284	46,041	47,798	49,555	51,312	53,069	54,826	56,583	58,340	60,097	61,854	63,611	65,368	1,757
04 Assistant Professor	34,629	36,080	37,531	38,982	40,433	41,884	43,335	44,786	46,237	47,688	49,139	50,590			1,451
05 Instructor	31,220	32,519	33,818	35,117	36,416	37,715	39,014	40,313	41,612	42,911	44,210	45,509			1,299

Fiscal Year 2003

ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4 The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Board and to the Mayor.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-383

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To approve the compensation system changes submitted by the Mayor on behalf of the Board of Trustees of the University of the District of Columbia for Faculty Department Chairmen of the University of the District of Columbia not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Academic Department Chairmen Compensation System Changes Approval Resolution of 2004".

Sec. 2. Pursuant to section 1111(i) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-611.11(i)), the Council approves the compensation system changes recommended by the Board of Trustees of the University of the District of Columbia ("Board") for academic department chairmen (educational employees) not covered by collective bargaining, which were adopted by the Board on September 17, 2003, and transmitted to the Council by the Mayor on behalf of the Board on November 24, 2003, and which provide as follows:

FACULTY CHAIR
SALARY SCHEDULE

Effective Date: October 1, 2002

Increase: 6.4%

CBU CODE - XGF, NAA; SERVICE CODE: L30, L31, L33, N30, N31, N32

RANK	STEP INCREASES														Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
01 Distinguished Professor														87,812	
02 Professor	53,346	55,572	57,798	60,024	62,250	64,476	66,702	68,928	71,154	73,380	75,606	77,832	80,058	82,284	2,226
03 Associate Professor	42,527	44,284	46,041	47,798	49,555	51,312	53,069	54,826	56,583	58,340	60,097	61,854	63,611	65,368	1,757
04 Assistant Professor	34,629	36,080	37,531	38,982	40,433	41,884	43,335	44,786	46,237	47,688	49,139	50,590			1,451
05 Instructor	31,220	32,519	33,818	35,117	36,416	37,715	39,014	40,313	41,612	42,911	44,210	45,509			1,299

656

2

Fiscal Year 2003

JAN 16 2004

The University of the District of Columbia

FACULTY CHAIR
SALARY SCHEDULE

Effective Date: October 1, 2003

Increase: 3.0%

CBU CODE - XGF, NAA; SERVICE CODE: L30, L31, L33, N30, N31, N32

RANK	STEP INCREASES														Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
Q1 Distinguished Professor														90,446	
Q2 Professor	54,946	57,239	59,532	61,825	64,118	66,411	68,704	70,997	73,290	75,583	77,876	80,169	82,462	84,755	2,293
Q3 Associate Professor	43,803	45,613	47,423	49,233	51,043	52,853	54,663	56,473	58,283	60,093	61,903	63,713	65,523	67,333	1,810
Q4 Assistant Professor	35,668	37,163	38,658	40,153	41,648	43,143	44,638	46,133	47,628	49,123	50,618	52,113			1,495
Q5 Instructor	32,157	33,495	34,833	36,171	37,509	38,847	40,185	41,523	42,861	44,199	45,537	46,875			1,338

657

Fiscal Year 2004

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Board and to the Mayor.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-384

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To establish the date by which the Mayor shall submit to the Council the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2005, to identify information and documentation to be submitted to the Council with the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2005, and to clarify that the Mayor shall submit performance plans and reports pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2005 Budget Submission Requirements Resolution of 2004".

Sec. 2. Pursuant to section 442(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42(a)) ("Home Rule Act"), the Mayor shall submit to the Council, and make available to the public not later than March 22, 2004, the proposed budget for the District government and related budget documents required by sections 442, 443, and 444 of the Home Rule Act (D.C. Official Code §§ 1-204.42, 1-204.43, and 1-204.44), for the fiscal year ending September 30, 2005. The proposed budget shall contain the following:

(1) For the entire District government including all subordinate agencies, independent agencies, independent instrumentalities, and independent authorities ("agency"), a summary statement or table showing:

(A) The revenues by source (local, federal, intra-district, private, and other);

(B) Expenditures by Comptroller Source Group (agency object class) for fiscal years 2002 and 2003; and

(C) Projections for fiscal year 2004 and for fiscal year 2005;

(2) For each agency or separate line item in the District's annual budget, summary statements or tables showing all sources of funding by source (local, federal, intra-district, private, and other) for fiscal years 2002 and 2003, including a presentation of any

ENROLLED ORIGINAL

variance between fiscal year appropriations and expenditures;

(3) For each agency or separate line item in the District's annual budget, a summary statement or table showing projections of all sources of funding by source (local, federal, intra-district, private, and other), for fiscal year 2004 and for fiscal year 2005;

(4) For each agency or separate line item in the District's annual budget, summary statements or tables showing expenditures by Comptroller Source Group (agency object class) and Organizational Level II (control center, delineated by Organizational Level III (responsibility center)) for all sources of funding for fiscal years 2002 and 2003, including a presentation of any variance between fiscal year appropriations and expenditures, as well as projections for fiscal year 2004 and fiscal year 2005; and

(5) A summary statement or table showing the fiscal year 2005 baseline budget, including a presentation of fiscal year 2004 reprogrammings that will have a recurring fiscal impact in succeeding fiscal years.

Sec. 3. In addition to, and in support of, the information submitted pursuant to section 2, the Mayor shall submit the following:

(1) Copies of all documents referenced in and supportive of the budget justification for fiscal year 2005, including any proposed legislation and proposed fiscal year 2005 Budget Request Act, that are necessary for implementation of the proposed budget for the District for fiscal year 2005;

(2) A summary statement or table showing, by Comptroller Source Group (agency object class) and Organizational Level II (control center, delineated by Organizational Level III (responsibility center)), authorized Full Time Equivalents ("FTEs") by revenue source (local, federal, intra-district, private, other, and capital); FTEs indicating the actual salary of the incumbent, or, in the case of a vacant position, the authorized salary, for fiscal years 2002 and 2003; projections for fiscal year 2004 and fiscal year 2005; and a listing of authorized FTEs for fiscal year 2005 that reflects new positions, reorganizations, and transfers;

(3) A cash flow report based on:

(A) No change in budget and revenue authority; and

(B) The revised current fiscal year budget request and the succeeding fiscal year budget request;

(C) The cash flow report should include the actual and projected monthly cash flow for preceding, current, and succeeding fiscal years, and the following detail:

(i) Major source of receipts:

(I) Individual income tax;

(II) Real property tax;

(III) Special property tax;

(IV) General sales and use taxes;

(V) Miscellaneous taxes;

- (VI) Federal payments;
- (VII) Miscellaneous receipts;
- (VIII) Private and other;
- (IX) Federal grants;
- (X) Short term notes;
- (XI) Receivables; and
- (XII) Tobacco settlement payments;
- (ii) Major types of disbursements:
 - (I) Payroll;
 - (II) Miscellaneous disbursements;
 - (III) Public assistance;
 - (IV) Medicaid;
 - (V) Pension contributions benefits;
 - (VI) Transit authority contribution;
 - (VII) Debt service; and
 - (VIII) Recovery bonds/short term notes;
- (iii) Beginning balance; and
- (iv) Ending balance;
- (4) For the entire District government and each agency, a summary statement or table showing:
 - (A) Legislation enacted in fiscal years 2003 and 2004 that shall impact fiscal year 2005 and was not accounted for in the 2004 fiscal year baseline budget and will have a fiscal impact in fiscal year 2005, and all enacted legislation that has been adopted subject to inclusion in the financial plan; and
 - (B) All sources of funding by source (local, federal, intra-district, private, and other) for both fiscal year 2004 and fiscal year 2005;
- (5) For Medicaid data, a summary statement or table showing:
 - (A) The fiscal year 2005 baseline Medicaid budget by each specific responsibility center related to the District of Columbia's Medicaid program, including a presentation of current fiscal year reprogrammings that will have a recurring fiscal impact in succeeding fiscal years and a comparison to the fiscal year 2004 final estimated Medicaid spending by each specific responsibility center;
 - (B) The total Medicaid expenditures per month for fiscal year 2004 compared to the anticipated Medicaid expenditures for each month of fiscal year 2005;
 - (C) The total number of actual Medicaid enrollees for each month of fiscal year 2004 compared to the number of anticipated Medicaid enrollees for each month of fiscal year 2005, including data showing discrete numbers for each of the following:
 - (i) Aged;
 - (ii) Disabled;

ENROLLED ORIGINAL

- (iii) TANF Adults;
- (iv) TANF Children;
- (v) CHIP Parents;
- (vi) CHIP Children;
- (vii) Other Adults; and
- (viii) Other Children;

(D) The amount of Medicaid reimbursement projected to be achieved in fiscal year 2005, including a comparison to the actual reimbursements received in fiscal year 2004; the amount of projected local dollars that are used to leverage the federal reimbursement in fiscal year 2005, including a comparison to the actual local dollars used to leverage federal reimbursement in fiscal year 2004; and a list of the local match by each agency's responsibility center associated with leveraging Medicaid matching dollars for each of the following:

- (i) District of Columbia Public Schools;
- (ii) Department of Mental Health;
- (iii) Child and Family Services Agency;
- (iv) Department of Human Services; and
- (v) Department of Health;

(6) A summary statement or table showing:

(A) The number of full-time and part-time teachers in the District of Columbia public school system, by school level (e.g., elementary, junior high); and

(B) The number of special education students, including the number of special education students in private placement, served by school level (e.g., elementary, junior high), and indicating the number of students who are eligible for Medicaid services; and

(7) Mayoral reprogramming requests for the current fiscal year that are included in the summary statement or table pursuant to section 2(5);

(8) For the Office of Labor Relations and Collective Bargaining, and for the Office of Labor Management Partnerships, both offices being within the Office of the City Administrator, the following budget information shall be presented separately;

(A) The revenues by source (local, federal, intra-district, private, and other) for fiscal years 2004 and 2005;

(B) Expenditures by Comptroller Source Group (agency object class) for fiscal years 2002 and 2003; and

(C) Projections for fiscal years 2004 and 2005; and

(9) For the Emergency and Non-Emergency Number Telephone Calling Systems Fund, the Mayor shall provide the following information:

(A) The number by job category of the personnel paid for by the fund in fiscal years 2004 and 2005;

(B) The cost, by position, for the personnel paid for by the fund in fiscal years 2004 and 2005;

ENROLLED ORIGINAL

- (C) A detailed fiscal year 2005 spending plan for the fund;
- (D) A detailed replacement schedule for equipment, and similar items, to be paid for out of the fund in 2005 and subsequent fiscal years; and
- (E) A statement of 2005 priorities together with a timetable for their implementation.

Sec. 4. Pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective May 16, 1995 (D.C. Law 11-16; D.C. Official Code § 1-614.11 *et seq.*), the Mayor shall submit to the Council, and make available to the public, not later than January 13, 2004, the performance reports for fiscal year 2003 that cover all publicly funded activities of each District government agency. The Mayor shall submit to the Council, and make available to the public, not later than March 22, 2004, the performance plans for fiscal year 2005 that cover all publicly funded activities of each District government agency.

Sec. 5. (a) Notwithstanding the requirements for budget submissions for fiscal year 2005 defined by this resolution, the Mayor shall submit for fiscal year 2005 a performance-based budget for those agencies submitting a budget pursuant to section 1002 of the Fiscal Year 2004 Budget Support Act of 2003, effective November 13, 2003 (D.C. Law 15-39; to be codified at D.C. Official Code § 47-308.01) ("Act").

(b) In accordance with subsection 1002(d) of the Act, the Mayor's fiscal year 2005 budget shall include service level costs for the following services:

- (1) Responding to Calls for Service, a service in the Regional Field Operations program, ROC-Central activity, of the Metropolitan Police Department;
- (2) Office of the Assistant Chief for ROC-Central, a service in the Regional Field Operations program, ROC-Central activity, of the Metropolitan Police Department;
- (3) Executive Protection Unit, a service in the Regional Field Operations program, Regional Field Operations Support, of the Metropolitan Police Department;
- (4) Homicides, Assault with Intent to Kill, and Major Crimes Investigations, a service in the Investigative Field Operations program, Special Investigations activity, of the Metropolitan Police Department;
- (5) Family Liaison Unit, a service in the Investigative Field Operations program, Special Investigations activity, of the Metropolitan Police Department;
- (6) Auto Theft, a service in the Investigative Field Operations program, Special Investigations activity, of the Metropolitan Police Department;
- (7) Witness Protection, a service in the Investigative Field Operations program, Special Investigations activity, of the Metropolitan Police Department;
- (8) Recruiting, a service in the Police Business Services program, Police Personnel Services activity, of the Metropolitan Police Department;
- (9) Force Investigation Team, a service in the Organizational Change program,

ENROLLED ORIGINAL

Office of Professional Responsibility activity, of the Metropolitan Police Department;

(10) Advanced Life Support Services, a service in the Field Operations program, Emergency Medical Services Operations activity, of the Fire and Emergency Medical Services Department;

(11) Employee/Vendor/Volunteer Background Screenings, a service in the Agency Management program, Personnel activity, of the Department of Corrections;

(12) Contraband Search and Seizures, a service in the Institutional Custody Operations program, Security and Control activity, of the Department of Corrections;

(13) Escorted Trips, a service in the Institutional Custody Operations program, Security and Control activity, of the Department of Corrections;

(14) Release Plans, a service in the Institutional Support Services program, Unit Management activity, of the Department of Corrections;

(15) Preventive Maintenance Program, a service in the Institutional Support Services program, Physical Plans activity, of the Department of Corrections;

(16) Housekeeping, Clothing and Bedding Supplies, a service in the Institutional Support Services program, Sanitation and Hygiene activity, of the Department of Corrections;

(17) Substance Abuse Programs, a service in the Inmate Services Program, Evaluation and Counseling activity, of the Department of Corrections;

(18) Death Certificates, a service in the Death Investigation and Certification program, Forensic Pathology activity, of the Office of the Chief Medical Examiner;

(19) Autopsy Reports, a service in the Death Investigation and Certification program, Forensic Pathology activity, of the Office of the Chief Medical Examiner; and

(20) Establishment of Paternity and Support and Enforcement of Support Order Litigation, a service in the Child Support program, Legal Services activity, of the Office of the Corporation Counsel.

Sec. 6. Pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), the Council's 50 calendar day budget review period shall begin after the date that all materials required to be submitted by sections 2 through 5 have been submitted in accordance with this resolution and the Council's rules.

Sec. 7. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor and to the Board of Education of the District of Columbia.

Sec. 8. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

15-385

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the reappointment of Mr. Russell D. Simmons to the District of Columbia Housing Authority Board of Commissioners.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Authority Board of Commissioners Russell D. Simmons Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Russell D. Simmons
1829 Upshur Street, N.E.
Washington, D.C. 20018
(Ward 5)

as a public member of the District of Columbia Housing Authority Board of Commissioners, established by section 12 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-211), for a term to end July 12, 2006.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-386

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 5, 2004

To confirm the reappointment of Ms. Ruth R. Banks as a member of the Rental Housing Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Ruth R. Banks Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Ruth R. Banks
3315 16th Street, N.E.
Washington, D.C. 20018
(Ward 5)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), for a term to end July 18, 2006.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-387

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 5, 2004

To confirm the reappointment of Mr. Ronald A. Young as a member of the Rental Housing Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Ronald A. Young Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Ronald A. Young
3538 New Hampshire Avenue, N.W.
Washington, D.C. 20010
(Ward 1)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), for a term to end July 18, 2006.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-388

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 5, 2004

To confirm the reappointment of Ms. Jennifer M. Long as a member of the Rental Housing Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rental Housing Commission Jennifer M. Long Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Jennifer M. Long
530 N Street, S.W., #S307
Washington, D.C. 20024
(Ward 6)

as a member of the Rental Housing Commission, established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01), for a term to end July 18, 2006.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-389

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the appointment of Dr. Jane E. Smith, Ed.D., to the Board of Trustees of the University of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Trustees of the University of the District of Columbia Jane E. Smith Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Jane E. Smith, Ed.D.
425 8th Street, N.W., #537
Washington, D.C. 20004
(Ward 2)

as a member of the Board of Trustees of the University of the District of Columbia, established by section 201 of the District of Columbia Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), replacing Reginald E. Gilliam, Jr., for a term to end May 15, 2008.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-390

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the appointment of Mr. Mark H. Tuohey, III to the District of Columbia Sports and Entertainment Commission Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Sports and Entertainment Commission Board of Directors Mark H. Tuohey, III Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Mark H. Tuohey, III
1655 Kalmia Road, N.W.
Washington, D.C. 20012
(Ward 4)

as a member and Chairperson of the District of Columbia Sports and Entertainment Commission Board of Directors, established by section 5 of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1404), replacing William Lucy as a member, whose term ended December 31, 2002, for a term to end December 31, 2006.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor:

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-391

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the appointment of Mr. Lloyd J. Jordan to the District of Columbia Sports and Entertainment Commission Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Sports and Entertainment Commission Board of Directors Lloyd J. Jordan Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Lloyd J. Jordan
1250 4th Street, S.W., Unit W301
Washington, D.C. 20024
(Ward 6)

as a member of the District of Columbia Sports and Entertainment Commission Board of Directors, established by section 5 of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1404), replacing Joseph B. Gildenhorn, whose term ended December 31, 2002, for a term to end December 31, 2006.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-392

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the reappointment of Mr. William N. Hall to the District of Columbia Sports and Entertainment Commission Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Sports and Entertainment Commission Board of Directors William N. Hall Confirmation Resolution of 2004.

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. William N. Hall
1915 Calvert Street, N.W., #301
Washington, D.C. 20009
(Ward 1)

as a member of the District of Columbia Sports and Entertainment Commission Board of Directors, established by section 5 of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1404), for a term to end December 31, 2007.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-393

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the reappointment of Mr. Paul J. Cohn to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Paul J. Cohn Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Paul J. Cohn
1325 21st Street, N.W.
Washington, D.C. 20036
(Ward 2)

as a public member of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2005.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-394

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To confirm the reappointment of Mr. Michael M. Dickens to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Michael M. Dickens Confirmation Resolution of 2004".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Michael M. Dickens
3625 Ordway Street, N.W.
Washington, D.C. 20016
(Ward 3)

as a public member of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), for a term to end May 16, 2005.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-395

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to authorize the Mayor to establish sanitary standards for wholesale food operations that do not provide food directly to the consumer, including manufacturers, processors, repackagers, and distributors of food, by amending An Act Relating to the adulteration of foods and drugs in the District of Columbia to include "food processing plants" within the definition of "food establishment".

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Food Regulation Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) There is an urgent need to amend An Act Relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-101 *et seq.*), to authorize the Mayor to establish sanitary standards for wholesale food operations that do not provide food directly to the consumer, including manufacturers, processors, repackagers, and distributors of food.

(b) Wholesale food processing plants were inadvertently excluded from the definition of "food establishment" in the Food Regulation Amendment Act of 2002, effective May 2, 2002 (D.C. Law 14-116; 49 DCR 1945). This emergency legislation corrects that error, which, if left unaddressed, could potentially expose the public to unsafe foods from warehouses and food processing plants that do not meet any sanitary standards.

(c) The Food Regulation Congressional Review Emergency Amendment Act of 2003, effective November 7, 2003 (D.C. Act 15-212; 50 DCR 10007), will expire on January 25, 2004. The Food Regulation Temporary Amendment Act of 2003, signed by the Mayor on October 6, 2003 (D.C. Act 15-159; 50 DCR 8969), will still be pending Congressional review when the emergency expires.

(d) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Food Regulation Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-396

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Veterinary Practice Act of 1982 to reduce the size of the Board of Veterinary Examiners from 7 members to 3 members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Veterinary Examiners Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2.(a) The Veterinary Practice Act of 1982, effective March 9, 1983 (D.C. Law 4-171; D.C. Official Code § 3-501 *et seq.*), sets the number of members on the Board of Veterinary Examiners ("Board") at 7 members. The size of the Board needs to be reduced from 7 members to 3 members because there are not enough licensed veterinarians living in the District of Columbia to fill the Board, leaving the Board unable to establish a quorum.

(b) The Board of Veterinary Examiners Congressional Review Emergency Amendment Act of 2003, effective November 7, 2003 (D.C. Act 15-211; 50 DCR 10004), will expire on January 25, 2004. The Board of Veterinary Examiners Temporary Amendment Act of 2003, signed by the Mayor on October 6, 2003 (D.C. Act 15-160; 50 DCR 8971), will still be pending Congressional review when the emergency expires.

(c) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Board of Veterinary Examiners Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-397

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Health Care Privatization Amendment Act of 2001 to add authority for the Mayor to issue rules and to require proposed rules to be submitted to the Council for a 30-day period of review.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Health Care Privatization Rulemaking Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Financial Responsibility and Management Assistance Authority enacted the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1401 *et seq.*) ("Act"), without providing authority for the Mayor to implement the Act through rulemaking.

(b) The Department of Health's Health Care Safety Net Administration, which administers the Act, needs rulemaking authority to fully implement the Act.

(c) The Health Care Safety Net Administration incurred approximately \$44 million in unanticipated expenses during Fiscal Year 2003 due to inability to control expenses under the existing contract documents.

(d) Amendment of the current contract documents requires consent of the parties and approval of the United States Bankruptcy Court because of the bankruptcy of Greater Southeast Community Hospital.

(e) With rulemaking authority, the Health Care Safety Net Administration can adopt reasonable and rational rules that will allow the Health Care Safety Net Administration to avoid cost overruns in the future.

(f) The Health Care Privatization Rulemaking Congressional Review Emergency Amendment Act of 2003, effective November 7, 2003 (D.C. Act 15-213; 50 DCR 10009), will expire on January 25, 2004. The Health Care Privatization Rulemaking Temporary Amendment Act of 2003, signed by the Mayor on October 7, 2003 (D.C. Act 15-167; 50 DCR 9151), will still be pending Congressional review when the emergency expires.

(g) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Health Care Privatization Rulemaking Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-398

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to exempt from sales taxation goods sold at certain charity auctions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Charity Auction Sales Tax Exemption Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The permanent version of this legislation was introduced earlier this year, and the Committee on Finance and Revenue held a public roundtable on the bill on July 7, 2003.

(b) Many District of Columbia ("District") nonprofit organizations hold charity auction events, which help fund activities which are beneficial to the District and its residents.

(c) Accounting for and collecting sales taxes on such incidental sales is an administrative burden to these organizations, and very few such organizations now either collect or are aware they should collect sales taxes on such sales.

(d) At the Committee's public roundtable, the Office of Tax and Revenue expressed concerns over the drafting of the original introduced bill, and those concerns have been addressed in this emergency bill.

(e) The Council has previously passed this measure on an emergency and temporary basis, and the permanent is pending before the Committee on Finance and Revenue.

(f) The prior emergency version, D.C. Act 15-192, will expire on January 22, 2004. The temporary version, D.C. Act 15-250 has been signed by the Mayor and is pending transmittal to Congress for its review period, thus necessitating the underlying Congressional review emergency act.

Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in Section 2 constitute emergency circumstances making it necessary the Charity Auction Sales Tax Exemption Congressional Review Emergency Act of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to exempt from taxation certain property leased to, and occupied by, Emmaus Services for the Aging, Inc., a District of Columbia nonprofit organization, and used in its tax-exempt function.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Emmaus Rehabilitation Project Real Property Exemption Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The permanent version of this legislation was introduced earlier this year, and the Committee on Finance and Revenue held a public roundtable on the bill (Bill 15-308) on July 7, 2003.

(b) The underlying emergency legislation would exempt property in the 1400 block of 9th Street, N.W., from property and deed and recordation taxes as long as the property is leased by, occupied, and used for the purposes of Emmaus Services for the Aging, a 501(c)(3) qualifying organization.

(c) The rehabilitation of these properties, which were long neglected in the Shaw community, was enabled by a financing arrangement which took advantage of historic preservation tax credits, involving partners in the private sector.

(d) As such, title to the property is currently held in the name of Emmaus Rehabilitation LLC, which would not otherwise qualify for a property tax exemption under our law.

(e) As the property will be used by Emmaus Services for the Aging, a 501(c)(3) organization, and title will revert to the nonprofit organization in approximately 5 years, the Office of Tax and Revenue has recommended changes to the legislation to limit the scope of the exemption solely to the Emmaus' use of the property.

(f) Title to the property was transferred to Emmaus Rehabilitation LLC in April of 2003, and the previous exemption held by Emmaus Services for the Aging was terminated by the Office of Tax and Revenue on May 1, 2003.

(g) As these events occurred several months in the past, the underlying emergency legislation is needed to prevent further accrual of property tax liability by the organization.

ENROLLED ORIGINAL

(h) The Council has previously passed this measure on an emergency and temporary basis, and the permanent will be on first reading before the Council on January 6, 2004.

(i) The prior emergency version, D.C. Act 15-203, will expire on January 22, 2004. The temporary version, D.C. Act 15-243 has been signed by the Mayor and is pending transmittal to Congress for its review period, thus necessitating the underlying Congressional review emergency act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary the Emmaus Rehabilitation Project Real Property Exemption Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-400

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to provide for a real property tax exemption for lots 826 and 831 in square 491 and a payment in lieu thereof.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Freedom Forum Newseum Real Property Tax Exemption and Equitable Real Property Tax Relief Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Freedom Forum, Inc., a tax-exempt organization, purchased the property at 555 Pennsylvania Ave., N.W. (lots 826 and 831 in square 491), from the District of Columbia government ("District") in December 2000 for \$100 million, \$25 million of which was designated as a grant to the District of Columbia Housing Production Trust Fund. At the time of purchase, The Freedom Forum, Inc., voluntarily entered into an agreement to make annual payments in lieu of real property taxes.

(b) The Office of Tax and Revenue issued a real property tax bill to a wholly owned nonprofit subsidiary of The Freedom Forum, Inc. (555 Pennsylvania Ave. NW, LLC) for taxes due.

(c) The District desires to ensure immediately that the negotiated payments in lieu of taxes commence not earlier than the date that a final Certificate of Occupancy is issued.

(d) The Council has previously passed this measure on an emergency and temporary basis, and the permanent is pending before the Committee on Finance and Revenue.

(e) The prior emergency version, D.C. Act 15-202, will expire on January 22, 2004. The temporary version, D.C. Act 15-241, has been signed by the Mayor and is pending transmittal to Congress for its review period, thus necessitating the underlying Congressional review emergency act.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Freedom Forum Newseum Real Property Tax Exemption and Equitable Real Property Tax Relief Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-401

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the sunset date for the issuance of tax increment financing bonds under the Tax Increment Financing Authorization Act of 1998.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tax Increment Financing Reauthorization Date Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Tax Increment Financing Authorization Act of 1998 ("TIF Act") contains a sunset date of January 1, 2003.

(b) The Committee on Finance and Revenue has undertaken a thorough reexamination of the TIF Act, including hearings in January and June 2003. The goal of this effort will be to evaluate how to make tax increment financing, and other tax-related development tools, more effective for neighborhood economic development and revival, and this effort will result in legislative changes to the TIF Act.

(c) The Council has previously passed this measure on an emergency and temporary basis, extending the sunset date of the TIF Act until July 1, 2004.

(d) Permanent legislation, Bill 15-2, is pending before the Committee on Finance and Revenue.

(e) The prior emergency version, D.C. Act 15-187, will expire on January 22, 2004. The temporary version, D.C. Act 15-242, has been signed by the Mayor and is pending transmittal to Congress for its review period, thus necessitating the underlying Congressional review emergency act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Tax Increment Financing Reauthorization Date Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-402

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to continue a parking meter fee moratorium on Saturday for up to 3 hours, unless current signage permits otherwise, and on other days between 6:30 p.m. and 7:00 a.m.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Parking Meter Fee Moratorium Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) On December 18, 2003, Act 15-264, the Parking Meter Fee Moratorium Temporary Act of 2003, was passed by the Council. This act would continue a moratorium on the payment of parking meter fees on Saturdays for up to 3 hours, unless current signage permits otherwise, and on other days between the hours of 6:30 p.m. and 7:00 a.m.

(b) The Parking Meter Fee Moratorium Temporary Act of 2003 is awaiting Congressional review. The current emergency legislation regarding this program, the Parking Meter Fee Moratorium Emergency Act of 2003, expires on February 3, 2004.

(c) The parking meter fee moratorium program has helped to foster the ongoing revitalization of the District through increased visits to District neighborhoods and increased shopping within the commercial corridor. Passage of the Parking Meter Fee Moratorium Congressional Review Emergency Act of 2004 is necessary to continue this program, in order to provide for this ongoing revitalization of the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Parking Meter Fee Moratorium Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-403

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Fiscal Year 1997 Budget Support Act of 1996 to establish the Automated Traffic Enforcement Fund as a lapsing fund, and to require that revenue collected and deposited into the Automated Traffic Enforcement Fund be used for the expenses associated with automated traffic enforcement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Automated Traffic Enforcement Fund Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) On October 7, 2003, the Council enacted Bill 15-480, the Automated Traffic Enforcement Fund Emergency Amendment Act of 2003. The Mayor signed the bill on October 24, 2003 and it became D.C. Act 15-189. This act will expire on January 22, 2004.

(b) Bill 15-481, the Automated Traffic Enforcement Fund Temporary Amendment Act of 2003, is pending before Congress.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Automated Traffic Enforcement Fund Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-404

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend section 16-1005 of the District of Columbia Official Code to clarify that communications made by a person located outside the District of Columbia to a person located in the District of Columbia shall be deemed to have been made in the District of Columbia for the purpose of establishing a violation of a domestic violence protection order.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Domestic Violence Protection Orders Technical Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) Bill 15-376, the Domestic Violence Protection Orders Temporary Act of 2003, is projected to become law on January 22, 2004. The emergency version is expected to expire on January 25, 2004. The permanent version of the legislation is in Bill 15-437, the Technical Amendments Act of 2003, which the Council enacted on December 2, 2003. Bill 15-437 is awaiting Mayoral signature and then Congressional review.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Domestic Violence Protection Orders Technical Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-405

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia's law governing child support to comply with federal requirements concerning the establishment and enforcement of medical support for children not living with both parents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Support Establishment and Enforcement Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Council has enacted emergency legislation (D.C. Act 15-208) and temporary legislation (D.C. Act 15-249) to bring the District of Columbia into compliance with federal requirements concerning the establishment and enforcement of medical support for children not living with both parents.

(b) The Council is also considering permanent legislation, Bill 15-219, the Medical Support Establishment and Enforcement Amendment Act of 2004, which is scheduled for final reading on January 6, 2004.

(c) The emergency act (D.C. Act 15-208) will expire on January 22, 2004, and the temporary legislation (D.C. Act 15-249), which is still undergoing Congressional review, is not projected to be in effect before the emergency legislation expires. Therefore, the Council must approve emergency legislation to maintain compliance with federal requirements for medical support establishment and enforcement until the temporary legislation becomes effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Support Establishment and Enforcement Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-406

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency, due to Congressional review, with respect to need to prohibit the Metropolitan Police Department's Police Service Areas restructuring plan from being implemented prior to Council review.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "PSA Restructuring Council Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) On October 7, 2003, the Council passed Bill 15-489, the PSA Restructuring Council Review Emergency Act of 2003. Bill 15-489 was enacted on October 24, 2003 and will expire on January 1, 2004. Bill 15-490, the PSA Restructuring Council Review Temporary Act of 2003, was passed by the Council on October 7, 2003, and on November 4, 2003, was enacted on November 25, 2003, and is now waiting for Congressional review before it becomes effective. Consequently, it is necessary to pass the PSA Restructuring Council Review Congressional Review Emergency Act of 2004 to avoid a gap in the law.

(b) The purpose of Bills 15-489 and 15-490 is to ensure that the constituents that are most affected by the restructuring of the Police Services Areas ("PSAs") have a place to air their concerns prior to implementation of the new program.

(c) There have been several very concerned neighborhood groups throughout the city that have not felt as though their concerns have been adequately taken into consideration by the Metropolitan Police Department. By ensuring that there is no gap between the effective date of the temporary legislation and the expiration date of the emergency legislation, the Council will have an affirmative step in process.

(d) Accordingly, it is necessary that the Council adopt this legislation on an emergency basis to enable to ensure that the Council has the authority to conduct a complete review of the PSA restructuring plan.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the PSA Restructuring Council Review Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-409

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need for the Council to amend An Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to require the Mayor to include as part of a proposed resolution for the disposition of real property an analysis of economic factors and a description of how economic factors will be weighted and evaluated, and in the case of any property to be disposed of through a request for proposal or competitive sealed proposal, to require the Mayor to use economic factors as one of the criteria for evaluating the request for proposal or competitive sealed proposal.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Real Property Disposition Economic Analysis Emergency Declaration Resolution of 2004".

Sec. 2. (a) Throughout the next year, the District of Columbia ("District") government is likely to issue requests for proposal to dispose of major parcels of land that it owns, possibly including sites on the Southwest Waterfront and the St. Elizabeth's campus, as well as the Franklin School and the Nichols Avenue School.

(b) Although upcoming disposals of District-owned real property will have a major impact on the local economy and could serve as an important source of revenue for the District government, there is presently no requirement that the District consider the economic value of the disposition, including the revenues, payments, and fees that would accrue to the District government or the impact on the local economy.

(c) To ensure that the District government and its residents derive maximum economic benefit from the forthcoming disposition of major parcels of real property, while providing the Mayor with appropriate flexibility to consider other important factors such as housing and community development, legislation is urgently needed to require an economic analysis as part of any real property disposition, and to ensure that economic factors are an explicit component of any real property disposition that will be effected through a request for proposal or competitive sealed proposal. Otherwise, the District may forego millions of dollars in potential benefits from such dispositions.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Real Property Disposition Economic Factors Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-410

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to authorize the use of subpoenas and the administration of oaths and affirmations by the District of Columbia Auditor in the conduct of investigations and audits.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Auditor Subpoena and Oath Authority Emergency Declaration Resolution of 2003".

Sec. 2. (a) There exists an immediate crisis regarding the District of Columbia's Auditor's ability to conduct thorough, timely, and factually correct audits of the accounts and operations of the District government, including the accounting organizations and systems, internal audit and control, and related administrative practices.

(b) Too often in conducting audits and investigations, the District of Columbia Auditor encounters agency executives, mid-level managers, front line employees, contractors, consultants, and vendors who provide misleading information or attempt to impede, delay, or manipulate the flow of information required by the Auditor. These actions have the effect of concealing operational and financial mismanagement, irregularities, incompetence, and other deficiencies and wrongdoing that have a devastating and costly impact upon the District government.

(c) The District of Columbia Auditor should be able to compel the production of relevant information from governmental and non-governmental entities with whom the District does business and be able to timely and thoroughly examine all aspects of how the District's business is being conducted and determine whether it is being conducted in a manner that serves the best interest of the government, taxpayers, and others that we have an obligation to serve and protect.

(d) In order to ensure that the District of Columbia Auditor is accorded adequate legal authority and the resources necessary to obtain and effectively use audit tools that encourage the disclosure of vital information regarding all governmental operations, the District of Columbia Auditor must be given the authority to use subpoenas and the administration of oaths and affirmations in the conduct of investigations and audits.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Auditor Subpoena and Oath Authority Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-412

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to provide equitable real property tax relief to the Kings Court Community Gardens, a tax-exempt organization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Kings Court Community Garden Equitable Real Property Tax Relief Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Council has previously passed this measure on an emergency and temporary basis, and the permanent legislation is pending before the Committee on Finance and Revenue.

(b) There still exists an immediate need to clarify the remaining hurdle to the transfer of land located in square 1060, lot 30, to the Capitol Hill Community Garden Land Trust.

(c) The prior temporary legislation, D.C. Law 15-8, will expire on January 16, 2004, thus necessitating additional emergency and temporary legislation while the permanent is still pending.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Kings Court Community Garden Equitable Real Property Tax Relief Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-413

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to continue to provide for a refund of the fee for appealing the adjudication of a notice of traffic infraction to a person who prevails in such an appeal.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Traffic Adjudication Appeal Fee Emergency Declaration Resolution of 2004".

Sec. 2. (a) On June 21, 2003, D.C. Law 15-016, the Traffic Adjudication Appeal Fee Temporary Amendment Act of 2003, became effective. This law provides for the refunding of the fee for appealing the adjudication of a notice of traffic infraction to a person who is successful in their appeal, and will expire on February 1, 2004. The permanent bill regarding this matter, the Traffic Adjudication Appeal Fee Amendment Act of 2003, is scheduled to have its final reading before the Council on January 6, 2004.

(b) Because the Traffic Adjudication Appeal Fee Temporary Amendment Act of 2003 will expire on February 1, 2004 and the Traffic Adjudication Appeal Fee Amendment Act of 2003 is scheduled for final reading on January 6, 2004, passage of this emergency legislation is necessary to continue the refunding of the appeal fee to persons who are successful in their appeal of the adjudication of a notice of traffic infraction.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the "Traffic Adjudication Appeal Fee Emergency Amendment Act of 2004" be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-415

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to amend the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to extend the deadline for sworn Metropolitan Police Department officers hired between January 11, 2000 and December 31, 2003, to obtain 60 semester hours of post-secondary education, and to provide candidates for sworn employment with the Metropolitan Police Department who have applications pending as of December 31, 2003, and are subsequently appointed 5 years to meet the requisite educational requirement of 60 semester hours of post-secondary education; and to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to repeal an unnecessary provision.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metropolitan Police Department Educational Requirement Clarification Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 requires police officers hired after January 11, 2000, and prior to December 31, 2003, to obtain 2 years of post-secondary education within 5 years of the date they are hired. Due to a variety of reasons, including confusion over the requirement at the time of hiring as well as scheduling difficulties, a substantial number of officers have not completed the requirement and are subject to termination in 2005.

(b) The Metropolitan Police Department Educational Requirement Clarification Emergency Amendment Act of 2004 provides an extension of 5 years to fulfill the requirement referenced in subsection (a) of this section.

(c) The Omnibus Police Reform Amendment Act of 2000 requires that police officers hired after January 1, 2004 have 2 years of post-secondary education.

(d) A substantial number of applicants to the Metropolitan Police Department applied in 2003 and are in the process of being hired, but the process was not completed by January 1, 2004. The Metropolitan Police Department has already spent resources on these applicants, but the Omnibus Police Reform Amendment Act of 2000 prohibits those that have not completed 2 years of post-secondary education by January 1, 2004 from being hired in 2004.

(e) The Metropolitan Police Department Educational Requirement Clarification Emergency Amendment Act of 2004 gives candidates for sworn employment with the Metropolitan Police Department who have applications pending as of December 31, 2003, and are subsequently appointed, 5 years to meet the requisite educational requirement of 60 semester hours of post-secondary education.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metropolitan Police Department Educational Requirement Clarification Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-417

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to allocate through a reprogramming \$16.5 million in state aid received by the District of Columbia for Fiscal Year 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may cited as the "\$16.5 Million Allocation Through a Reprogramming of Fiscal Year 2004 State Aid Approval Emergency Declaration Resolution of 2004".

Sec. 2. (a) During Fiscal Year 2004, the District experienced a major revenue shortfall, which the federal government addressed by giving the District \$16.5 million in state aid.

(b) The aid will be used to help agencies that have undergone massive cuts to their budgets.

(c) If the District does not use the state aid by the end of fiscal year 2004, it will lose access to these funds.

(d) It is of vital importance that the state aid be reprogrammed and allocated expeditiously.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the \$16.5 Million Allocation Through a Reprogramming Emergency Approval Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-418

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To approve, on an emergency basis, the allocation through a reprogramming of \$16.5 million in state aid received by the District of Columbia for Fiscal Year 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "\$16.5 Million Allocation Through a Reprogramming of Fiscal Year 2004 State Aid Emergency Approval Resolution of 2004".

Sec. 2. In accordance to Title VI of the Jobs and Growth Tax Relief Reconciliation Act of 2003, approved May 28, 2003 (Pub. L. No. 108-27; 117 Stat. 752) ("Act"), \$16.5 million shall be reprogrammed and allocated as follows:

1	DOH	Health Care Safety Net Alliance	16,000,000
2	DHS	Hypothermia Services	300,000
3	OCFO	Property Tax Legal Challenge	219,000
		State Aid Sub-total	16,519,000

Sec. 3. No funds shall be made available prior to certification by the Chief Financial Officer that funds will be expended for the purposes designated in section 2.

Sec. 4. On September 29, 2004, the Chief Financial Officer shall re-examine the allocations made with the funding provided by the Act. If the Chief Financial Officer determines that any amount, as allocated, will not be obligated or expended by the close of the fiscal year, those amounts shall be re-designated by the Chief Financial Officer to meet the obligations of the District of Columbia in accordance with the provisions of the Act.

Sec. 5. This resolution shall take effect immediately.

A RESOLUTION

15-419

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to approve the acceptance and use of grants not included in the ceiling of the District of Columbia Appropriations Act, 2003.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "January Budget Modifications for FY 2004 Grant Funds Emergency Declaration Resolution of 2004".

Sec. 2. (a) Compliance with federal law established by section 119 of the FY 2003 Appropriations Act, approved February 20, 2003 (Pub. Law 108-7; 117 Stat. 11) as extended by a Joint Resolution Making continuing appropriations for the fiscal year 2004, and for other purposes, approved September 30, 2003 (Pub. Law 108-84; 117 Stat. 1042), requires Council approval within 15 calendar days after a request for acceptance and use of grants not included in the ceiling of the FY 2003 appropriation for the District of Columbia.

(b) Grant requests have been submitted that are not included in the FY 2003 appropriations ceiling. These grants must be approved by the Council expeditiously.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the January Budget Modifications for FY 2004 Grant Funds Approval Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-420

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to detail the purpose of the expenditure of fiscal year 2004 reserve funds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Public Schools Use of the Cash Reserve Funds Emergency Declaration Resolution of 2004".

Sec. 2. The District of Columbia Public Schools ("DCPS") is currently experiencing a budget shortfall due to unanticipated expenses in the amount of \$14.6 million. The District, through the use of the Budget Reserve, has the funds available to offset DCPS' financial constraints. This money will support two specific needs of DCPS:

(1) An amount of \$10.9 million from the fiscal year 2001 budget reserves must be made available for use by the DCPS in response to court order requiring that supplemental funds be allocated for the purpose of enhancing special education transportation functions. Without this money, DCPS will be in violation of several Federal Education Disability regulations, which will severely impact the amount of federal funds DCPS receives in the future.

(2) An amount of \$3.7 million from the fiscal year 2001 budget reserve must be made available for use by DCPS in response to a request from the School Board to allow for the postponement of selected position eliminations until the end of the fiscal year, thus minimizing interruptions to the D.C. public schools.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Public Schools Use of the Budget Reserve Funds Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-421

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 6, 2004

To declare the existence of an emergency with respect to the need to provide that staffing of the State Health Planning and Development Agency can continue beyond March 1, 2003 and to implement streamlined Certificate of Need procedures.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Health Services Planning and Development Emergency Declaration Resolution of 2004".

Sec. 2. (a) The State Health Planning and Development Agency is not authorized to utilize local revenues to fund staffing after March 1, 2003.

(b) This emergency legislation is necessary to allow the agency to continue its administrative operations, including operation of the Certificate of Need program, by providing that local revenues, not to exceed fees collected by the agency, may be used to fund its staff and operations.

(c) The Health Services Planning and Development Temporary Amendment Act of 2003, effective June 21, 2003 (D.C. Law 15-19; 50 DCR 3391), is expect to expire on February 1, 2004.

(d) The Health Services Planning and Development Amendment Act of 2004, passed on 1st reading on January 6, 2004 (Engrossed version of Bill 15-388), is pending before the Council.

(e) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Health Services Planning and Development Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.